

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

GARY GERTSEN, et al.,	:	CIVIL ACTION NO. 1:04-CV-1779
	:	
Plaintiffs	:	(CONSOLIDATED)
	:	
v.	:	(Judge Conner)
	:	
FIRST HORIZON HOME LOAN CORP., et al.,	:	
	:	
Defendants	:	

FIRST HORIZON HOME LOAN CORP. t/d/b/a MNC MORTGAGE,	:	
	:	
Plaintiff	:	
	:	
v.	:	
	:	
GARY L. SWEITZER ENTERPRISES, INC., et al.,	:	
	:	
Defendants	:	

FRANCIS A. DUNLOP, et al.,	:	
	:	
Plaintiffs	:	
	:	
v.	:	
	:	
FIRST HORIZON HOME LOAN d/b/a FT MORTGAGE d/b/a MNC MORTGAGE, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 21st day of December, 2005, upon consideration of the joint report on the selection of a mediator (Doc. 339) requesting clarification on the

selection of a mediator, it is hereby ORDERED that the parties are directed to confer about the selection of a mediator and report to the Court on the status of the selection of a mediator on or before January 13, 2006:

1. If the parties select a mediator certified pursuant to Local Rule 16.8.2 or a magistrate judge within the Middle District of Pennsylvania pursuant to Local Rule 16.9, the court will issue an order referring the above-captioned case to the mediator or to the settlement officer.
2. If the parties select a mediator that is not certified pursuant to Local Rule 16.8.2, the court will entertain a joint motion for a stay of the proceedings in the above-captioned case while the parties pursue private mediation at the parties expense.

/s/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge